

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Roger C. by and through his)
next friend, Shelley Gilbert)
Plaintiff,)Civil Action: 08cv1254
v.)Judge St. Eve
)Magistrate Judge Schenkier
Valley View Public School District, 365-U)
Alan Hampton, Bollingbrook Police)
Don Laverty)
Timothy Gavin)
Steven Prodehl)
Defendants.)

MEMORANDUM IN SUPPORT OF MOTION TO COMPEL (IN COMPLIANCE WITH L.R. 37.2) VIDEO TAPE FOOTAGE (VIEWED BY PRINCIPAL MITCHEM) THAT ALLEGEDLY SHOWS PLAINTIFF ENGAGED IN DISORDERLY CONDUCT, MOB ACTION AND FIGHTING
NOW COMES [child] Plaintiff Roger C. with his next friend Shelley Gilbert and

both represented by their attorney, Christopher C. Cooper. Through counsel, they state as follows:

- (1) On July 21, in court at the scheduled status hearing, the undersigned did serve Defense Counsel Ulm and Penrose with a Request for Production of film footage that Principal Mitchem testified that he viewed and that such footage allegedly shows plaintiff engaged in rule breaking behavior, namely disorderly conduct, subversive organizations, mob action and fighting.
- (2) In compliance with Local Rule 37.2, the undersigned e-mail the attached letter to defense counsel on August 22, 2008. Today is August 26, 2008, approximately 4:30PM and Defense Counsel Riordan or Mr. Ulm have not provided the undersigned with the video or responded to the undersigned's letter.

WHEREFORE, Plaintiff respectfully asks this Court to order the production of the video (from Mr. Ulm and Mr. Riordan as counsel for Valley View School District).

Respectfully submitted,
s\Christopher Cooper, ESQ., PHD., 26 August 2008, approx. 4:30PM
Counsel for Plaintiff
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PROOF OF SERVICE: I, the undersigned, swear that I transmitted the foregoing through ECF on August 26, 2008 and that the defendants' attorneys are registered e-filers.
s\Christopher C. Cooper